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CERTIFICATE OF MAILING (37 CFR 1.10)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on this date July 3, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 259306958 US addressed to the: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim R. Jessum
(Name of Person Mailing Paper)


(Signature of Person Mailing Paper)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. §1.53(b)

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventor(s): Allamon, et al.

For: AUTOMATED LOTTING

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:
21 Pages of Specification including:

| | |
|----------|--|
| <u>1</u> | Title Page |
| <u>3</u> | Pages of Claims |
| <u>1</u> | Page of Abstract |
| <u>7</u> | Sheets of drawings containing <u>9</u> Figures |

☐ The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
3. Combined Declaration and Power of Attorney

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Enclosed and is executed by all inventors. |
| <input type="checkbox"/> | Not Enclosed. |

This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. Language

- ☒ English
☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

- ☒ An assignment of the invention to FreeMarkets, Inc. and a PTO Form-1595, Recordation Form Cover Sheet.
☐ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is claimed:

| Country | Application No. | Filed |
|---------|-----------------|-------|
| | | |
| | | |

Certified copy/ies: ☐ is/are attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Priority of the following provisional application(s) is claimed:

| Application No. | Filed |
|-----------------|--------------|
| 60/393,426 | July 3, 2002 |
| | |

A. Relate Back - 35 U.S.C. §119(e)

☐ Amend the specification by inserting before the first line the sentence:

8. Small entity status

☐ Applicant claims small entity status under 37 C.F.R. §§1.9 and 1.27.

9. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS FOR FEE CALCULATION | | | | |
|--|--------------|--------------|-----------------|--|
| | Number Filed | Number Extra | at Rate of | Basic Fee Utility \$750.00 Design \$330.00 |
| Total Claims (37 C.F.R. §1.16(c)) | 20 - 20 = | 0 | \$ 18.00 each = | \$ 0 |
| Independent Claims (37 C.F.R. §1.16(b)) | 4 - 3 = | 1 | \$ 84.00 each = | \$ 84.00 |
| Multiple dependent claim(s), if any (37 C.F.R. §1.16(d)) | | | \$280.00 | + |
| SUB-TOTAL = | | | | \$834.00 |
| Reduction by ½ for filing by a small entity | | | | -\$ |
| TOTAL FILING FEE = | | | | \$834.00 |

10. Fee Payment

☐ Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. §1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time
set for filing the Declaration and paying the filing fees.

☐ Enclosed.

Check in the amount of \$_____.

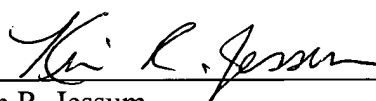
☒ Please withdraw \$834.00 for the patent application and \$40.00 for the recordation
fee for a total of \$874.00 from Deposit Account **50-0130**.

11. ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).
12. Additional papers enclosed:
- ☐ Preliminary Amendment
 - ☒ Information Disclosure Statement
 - ☒ Form PTO-1449,89 documents included
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



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Reg. No.: 33,701

Dated: July 3, 2003
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